

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

BORIS GOLDENBERG, ET AL.,)
)
)
PLAINTIFFS,) HONORABLE JEROME B.
) SIMANDLE
)
VS.) CASE No. 1:09-cv-05202-
) JBS-AMD
INDEL, INC., INDIVIDUALLY AND)
A/K/A INDUCTOTHERM)
INDUSTRIES, INC. AND)
INDUCTOTHERM CORPORATION,)
ET AL.,)
)
DEFENDANTS.

CONSENT ORDER REGARDING PLAINTIFFS' MOTION FOR
LEAVE TO FILE A SECOND AMENDED COMPLAINT

This action is before the Court on Plaintiffs' Motion for Leave to File a Second Amended Complaint, filed March 31, 2011 ("Motion for Leave to Amend").

Defendants have determined to consent to certain portions of Plaintiffs' Motion for Leave to Amend, identified below. Defendants' consent is provided subject, and without prejudice, to any and all of Defendants' denials, defenses and legal and

factual arguments in response to the allegations and claims made in the Second Amended Complaint actually filed in this action.

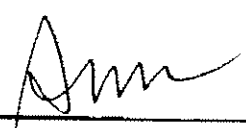
Therefore, after due consideration for the premises of the Motion for Leave to Amend, and with the consent of Defendants,
IT IS this 21st day of June, 2011, hereby **ORDERED**:

The Motion for Leave to Amend is hereby GRANTED in part, and Plaintiffs are granted leave to file a Second Amended Complaint which includes the following additional Counts as they appear in the proposed Second Amended Complaint attached to Plaintiffs' Motion for Leave to Amend -

- 1.Count XXIII
- 2.Count XXIV
- 3.Count XXV

Defendants have opposed the Plaintiffs' Motion to add the remaining Counts of the proposed Second Amended Complaint (Counts XXVI, XXVII, XXVIII and XXIX), and the Court will decide whether these

Counts will be included in the Second Amended
Complaint.



ANNE MARIE DONIO
United States Magistrate Judge

Cc: Hon. Jerome B. Simandle

CONSENTED TO:

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|--|---|
| <u>s/Arnold C. Lakind</u> Arnold C. Lakind Robert L. Lakind SZAFTERMAN, LAKIND, BLUMSTEIN & BLADER, P.C. 101 Grovers Mill Road, Suite 200 Lawrenceville, NJ 08648 Email: alakind@szaferman.com Moshe Maimon LEVY, PHILLIPS & KONIGSBERG, LLP 800 Third Avenue, 13 th Floor New York, NY 10022 Email: mmaimon@lpklaw.com Counsel for Plaintiffs | <u>s/Craig Carpenito</u> Craig Carpenito (CC-1686) ALSTON & BIRD LLP 90 Park Avenue New York, NY 10016 Phone: (212) 210-9400 Fax: (212) 210-9444 Email: craig.carpenito@alston.com Theodore J. Sawicki, Esq. (pro hac vice) H. Douglas Hinson, Esq. (pro hac vice) ALSTON & BIRD LLP 1201 West Peachtree Street Atlanta, GA 30309 Phone: (404) 881-7000 Fax: (404) 881-7777 Email: tod.sawicki@alston.com Email: doug.hinson@alston.com |
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